

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

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In re:

RED RIVER TALC, LLC

Debtor.

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Chapter 11

Case No. 24-90505 (CML)

**Declaration of Benedict P. Morelli**

1. My name is Benedict P. Morelli. I am over 18 years old and am fully competent to testify. I have personal knowledge of the facts stated in this statement and make this declaration under 28 U.S.C. §1746.
2. I am the founding partner of Morelli Law Firm, PLLC.
3. I was admitted to practice law in 1977, and have been a trial lawyer for over four decades representing clients in a myriad of cases ranging from personal injury, mass torts, employment discrimination, complex product liability, medical malpractice and civil rights.
4. I have extensive experience with mass tort litigation. I have represented clients in numerous complex products liability cases, including DES, Vioxx, Bextra, Avandia, Ortho Evra, Chantix, Raptiva, Transvaginal Mesh, DePuy hip replacement cases, Fosamax femur fracture cases, Androgel and other testosterone replacement drugs, and litigation against BP as a result of the oil disaster in the Gulf. I have been appointed to serve in leadership roles in several of these litigations by various state and federal courts across the country. In the Avandia drug litigation, venued in the Eastern District Federal Court of Philadelphia, I was selected as a member of the plaintiff's steering committee of

the MDL as well as lead trial counsel on the first federal case to be tried in court.

Through my roles in these litigations, I have extensive experience negotiating and resolving large and complicated litigations for large sums of money against major pharmaceutical companies.

5. I have learned that lawyers from the Coalition of Counsel for Justice for Talc Claimants (hereinafter, the “Coalition”) have been seeking my deposition and have erroneously accused me of evading service of a subpoena, which is not true. I submit this Declaration to alert the Court of the facts and to ask the Court to accept this Declaration in lieu of a deposition.
6. My firm represents 1,598 clients in the talcum powder litigation.
7. Originally, I submitted a master ballot reflecting my clients’ vote against the talc bankruptcy plan.
8. However, on October 24, 2024, following review of a subsequent memorandum of understanding increasing the compensation available for the plan trust, I amended the vote on behalf of my clients to vote in favor of the bankruptcy plan.
9. My amended vote represents the voice of my clients as I best understand them, and for the sake of the best interests of my clients I hope their change of vote will be accepted.
10. When I registered my amended vote, I informed the solicitation agent that this change was in the best interests of my clients.
11. I have been attacked by lawyers from the Coalition via text and via depositions of others.
12. Hopefully, this Declaration suffices and obviates the need for my deposition. However, if the Court thinks otherwise and deems my deposition necessary, I would request to have it conducted sometime in January, virtually, and limited to 2 hours.

13. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on December 10, 2024

A handwritten signature in black ink, appearing to read 'B. Morelli', is positioned above a horizontal line.

Benedict P. Morelli